

SDR-922-93-02  
14-20-0251-4472  
3165.3 (922.5)

NOV 12 1992

CERTIFIED MAIL - RETURN RECEIPT REQUESTED *P114 728 874*

DECISION

Mr. Craig Dallas	)	
Stovall Oil Company	)	SDR No. 922-93-02
P.O. Box 2331	)	
Casper, Wyoming 82602	)	

Dismissed - Untimely Filed

Stovall Oil Company (Stovall) requested a State Director Review (SDR) on October 30, 1992, on an Incident of Noncompliance (INC) issued by the Great Falls Resource Area Office (GFRA) on September 9, 1992, assessing Stovall \$250 for failure to comply with a written order of the authorized officer.

The return receipt indicates that Stovall received the INC on September 14, 1992. Stovall's SDR was received in the Montana State Office on November 2, 1992, 34 business days later. The 43 CFR 3165.3 (b) states in part, "Any adversely effected party that contests a notice of violation or assessment or an instruction, order, or decision of the authorized officer issued under the regulation in this part, may request an administrative review, before the State Director, either with or without oral presentation. Such request, including all supporting documentation, shall be filed in writing with the appropriate State Director within 20 business days of the date such notice of violation or assessment or instruction, order, or decision was received or considered to have been received and shall be filed with the appropriate State Director." Therefore, the request for the SDR is dismissed as untimely filed.

This Decision may be appealed to the Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR 4.400 and the enclosed Form 1842-1 (Enclosure 2). If an appeal is taken, a Notice of Appeal must be filed in this office at the aforementioned address within

30 days from receipt of this Decision. A copy of the Notice of Appeal and of any statement of reasons, written arguments, or briefs must also be served on the Office of the Solicitor at the address shown on Form 1842-1. It is also requested that a copy of any statement of reasons, written arguments, or briefs be sent to this office. The appellant has the burden of showing that the decision appealed from is in error.

/s/ Thomas P. Lonnie

Thomas P. Lonnie  
Deputy State Director  
Division of Mineral Resources

2 Enclosures

- 1-Stovall SDR dated October 30, 1992 (1p)
- 2-Form 1842-1 (1 p)

bc: (w/o encls.)  
WO(610), LS, Rm. 510  
DM Lewistown  
AM GFRA  
DM Dickinson  
DM Miles City  
MSO (922)  
AK SO  
AR SO  
CA SO  
CO SO  
ESO  
ID SO  
NV SO  
NM SO  
OR SO  
UT SO  
WY SO

922:PLaborda:ms:11/03/92:x2862:504